

UNCLASSIFIED

Department of State

3/31/83

ATJ39

INCOMING  
TELEGRAM

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PAGE 01 BUENOS 02084 011440Z  
ACTION ARA-02

1625

INFO OCT-00 COPY-01 ADS-00 INR-10 EUP-00 SS-10 SCL-01  
 CIAE-00 DODE-00 H-01 NSC-01 NSAE-00 SY-05 MA-02  
 L-03 PH-09 INSE-00 FA-01 VC-05 SAL-01 CA-01  
 USIE-00 JUSE-00 FBIE-00 SP-02 SAP-01 PRS-01 /030 W

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R 312111Z MAR 83  
 FM AMEMBASSY BUENOS AIRES  
 TO SECSTATE WASHDC 0651  
 INFO AMEMBASSY CARACAS  
 AMEMBASSY LONDON  
 AMEMBASSY ROME

BUENOS AIRES 02084

ROME ALSO FOR VATICAN

E.O. 12356: DECL: OADR  
 TAGS: SHUM, SREF, PREL, ECPS, PINR, AR, VE,  
 SUBJ: ARGENTINE EDITOR OBTAINS ASYLUM IN VENEZUELA

REF: A) BUENOS AIRES 1932, C) BUENOS AIRES 1957,

1. SUMMARY: "LA SEMANA" EDITOR JORGE FONTEVECCHIA LEFT ARGENTINA MARCH 30 TO GO INTO EXILE IN VENEZUELA. ONE OF HIS COLLEAGUES CAME TO THE EMBASSY ON MARCH 31 TO PRESS FOR ASYLUM IN THE U.S. FOR FONTEVECCHIA (WHO WAS REFUSED BY US ON MARCH 25). THIS CASE MAY PUT A TEMPORARY CHILL ON ARGENTINE-VENEZUELAN RELATIONS. MEANWHILE, THE PRESIDENTIAL DECREE THAT BANNED THE LAST ISSUE OF "LA SEMANA" WAS NULLIFIED ON MARCH 30 BY A JUDGE WHO SAID THAT THE CONTENTS OF THAT ISSUE DID NOT JUSTIFY THE EXECUTIVE BRANCH DECISION TO CONFISCATE IT. HE ORDERED THE EXECUTIVE BRANCH TO RETURN ALL CONFISCATED COPIES WITHIN 24 HOURS. END SUMMARY.

2. (U) ARGENTINE NEWSPAPERS REPORTED WITH CONSIDERABLE COVERAGE ON MARCH 31 THAT "LA SEMANA" MAGAZINE EDITOR JORGE FONTEVECCHIA FLEW INTO EXILE IN VENEZUELA ON MARCH 30. FONTEVECCHIA HAD BEEN IN THE VENEZUELAN EMBASSY SINCE MARCH 25 (SEE REFTELS A AND B). AS HE LEFT THE EMBASSY ACCOMPANIED BY THE VENEZUELAN AMBASSADOR, FONTEVECCHIA WAS CHEERED BY A CROWD OF ABOUT 150 PEOPLE WHO HAD BEEN WAITING TO GIVE HIM ENCOURAGEMENT. THE CROWD INCLUDED FELLOW JOURNALISTS AND HIS FATHER, WHO SAID THAT HIS SON WOULD NOT RETURN TO ARGENTINA BEFORE THERE IS A CHANGE OF GOVERNMENT.

3. SAMUEL GELBLUNG, ALSO WITH "LA SEMANA", CAME TO OUR EMBASSY ON MARCH 31 TO PRESS FOR ASYLUM IN THE U.S. FOR FONTEVECCHIA (WHO WAS REFUSED BY US ON MARCH 25 - SEE REFTEL A). EMBOFFS EXPLAINED TO GELBLUNG OUR POLICY ON ASYLUM. GELBLUNG THEN SAID THAT "EDITORIAL PERFIL", A MAJOR BUENOS AIRES PUBLISHING HOUSE AND PUBLISHER OF "LA SEMANA", HAS AN OFFICE IN NEW YORK CITY AND WAS THINKING OF "SENDING FONTEVECCHIA THERE ON ASSIGNMENT UNTIL AFTER THE CHANGE OF GOVERNMENT IN BUENOS AIRES." EMBOFFS SUGGESTED FONTEVECCHIA CONTACT THE U.S. EMBASSY IN CARACAS IF HE WANTS TO APPLY FOR A VISA, WHILE MAKING CLEAR THAT FONTEVECCHIA MUST ESTABLISH HIS ELIGIBILITY, WHICH IS NOT NECESSARILY ASSURED.

4. (U) IN A SEPARATE DEVELOPMENT, JUDGE JUAN RAMON DE ESTRADA RULED VOID ON MARCH 30 THE EXECUTIVE BRANCH DECREE THAT BANNED LAST WEEK'S ISSUE OF "LA SEMANA", AND ORDERED THE EXECUTIVE BRANCH TO RETURN ALL CONFISCATED COPIES TO EDITORIAL PERFIL WITHIN 24 HOURS. IN HIS RULING THE JUDGE SAID THAT "CONSTITUTIONAL FREEDOM OF SPEECH AND PRESS IMPLIES THAT ALL CITIZENS HAVE THE RIGHT FREELY TO

PUBLISH WHATEVER THEY PLEASE AND TO BE PROTECTED AGAINST ANY LEGAL MEASURE DIRECTED AGAINST THEM BECAUSE OF THIS (FREEDOM), UNLESS THE PUBLICATION IS BLASPHEMOUS, OBSCENE, OR SCANDALOUS OR DAMAGING TO PRIVATE PERSONS." THE JUDGE SAID THAT THE CONTENTS OF THE "LA SEMANA" ISSUE IN QUESTION DO NOT JUSTIFY THE EXECUTIVE BRANCH DECISION TO CONFISCATE IT.

5. (U) THE JUDGE ADDED THAT THE STORY ON THE ACTIVITIES OF NAVY COMMANDER ALFREDO ASTIZ DURING THE WAR AGAINST SUBVERSION AND DURING THE SOUTH ATLANTIC CONFLICT LAST YEAR "DOES NOT MAKE ANY CHARGES AGAINST THE ARMED FORCES IN GENERAL, BUT AGAINST ONE OF ITS MEMBERS." THE JUDGE'S RULING ALSO ADDED THAT THE PUBLICATION ONLY REPRODUCES WHAT HAD ALREADY BEEN REPORTED BY FOREIGN PUBLICATIONS. FONTEVECCHIA'S FATHER, WHO IS THE PRESIDENT OF EDITORIAL PERFIL, TOLD THE PRESS THAT THE EDITORIAL POLICY OF THE COMPANY WOULD NOT BE CHANGED BY WHAT HAD HAPPENED DURING THE PAST WEEK. SMLAUDEMAN

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 2. 05-1-1  
 3. 1-1-1

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(X) Release ( ) Excise ( ) Deny

Exemption(s):

Declassify: ( ) In Part (X) In Full

( ) Classify as ( ) Extend as ( ) Downgrade to

Date Declassify on Reason

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11561